THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13284 of 2006

Dated: 27-07-2006

Between:

D.V.Krishna Reddy

..... PETITIONERS

AND

Markapur Municipality and 8 others.

.....RESPONDENT

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 13284 of 2006

O R D E R:

The petitioner claims to be a licensee under the provisions of Andhra Pradesh Excise (Lease of Right of selling by shop and conditions licence) Rules, 2005, in respect of the shop situated in ward No. 10 of Markapur. This writ petition is filed seeking a Mandamus declaring the action of the Respondents 1 and 2 in not initiating any action against Respondents 3 to 9 in terms of his representation dated
13-06-2006 is arbitrary, illegal and violative of A.P. Excise (Grant of Licence of selling by Bar and Conditions of Licence) Rules, 2005, (for short 'the Rules').

It is stated that the petitioner got issued a notice through his counsel calling upon the first respondent-Commissioner, Markapur Municipality to take steps against the respondents 3 to 9 herein, who are holding licenses to run bar and restaurants in different wards in Markapur, alleging that they failed to provide the amenities and maintain the sanitary conditions as provided under the Rules. A copy of the said notice was marked to the Election Commissioner, Hyderabad and to the Secretary, Election Commissioner, Hyderabad, Andhra Pradesh. However the first respondent failed to take action. Hence this writ petition.

The legal notice was said to have been issued on
13-06-2006 and this writ petition was filed on 27-06-2006. Except

a copy of the notice, nothing has been placed before this Court to substantiate the allegation that the Respondents 1 and 2 failed to perform the statutory obligations. Hence,

I am not inclined to entertain the writ petition. However, it is left open to the petitioner to institute fresh proceedings in case necessity thereof arises.

The writ petition is accordingly disposed of. No costs.

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G. ROHINI, J

Dated: 27-07-2006
KLP